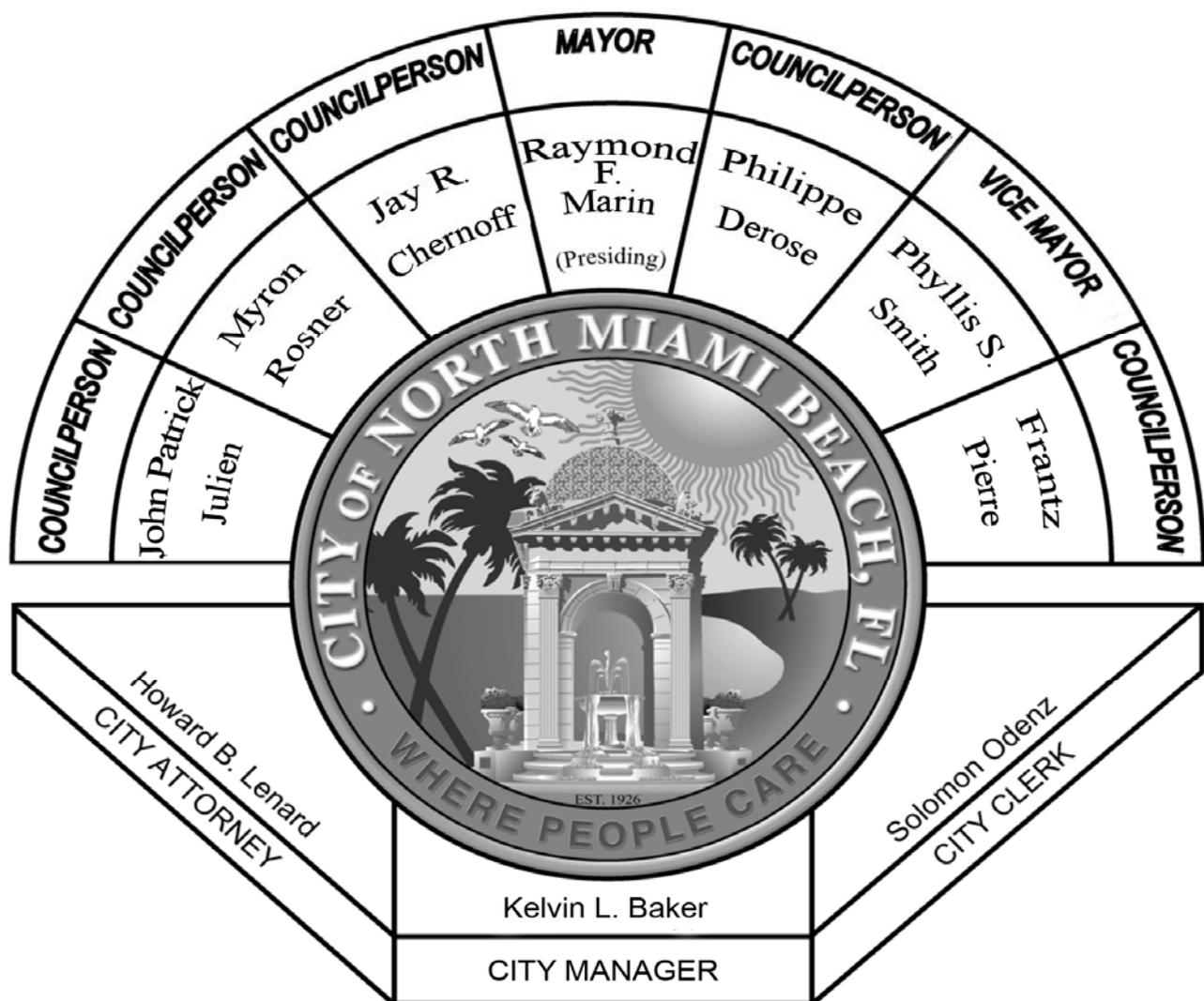


*Welcome
To A Meeting of the
City of North Miami Beach City Council
Your City Officials*



AGENDA

REGULAR MEETING OF THE CITY COUNCIL CITY OF NORTH MIAMI BEACH, FLORIDA

DATE and TIME: TUESDAY, NOVEMBER 4, 2008, 7:30 PM

LOCATION: CITY HALL, 17011 NE 19th AVENUE
2ND FLOOR, COUNCIL CHAMBERS

NEXT CITY COUNCIL MEETING: TUESDAY, NOVEMBER 18, 2008

AGENDA ITEMS

1. **ROLL CALL OF THE CITY OFFICIALS:**

2. **INVOCATION:**

REVEREND CANON RONALD N. FOX,
ST. BERNARD DeCLAIRVAUX EPISCOPAL CHURCH.

3. **SALUTE TO THE AMERICAN FLAG.**

4. **REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA:**

5. **APPOINTMENTS/PRESENTATIONS:**

A. **APPOINTMENTS:**

1. CHRISTINE M. GIBSON-NORRIS – CULTURAL COMMITTEE.

B. **PRESENTATIONS:**

1. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN PROCLAIMING NOVEMBER 4, 2008 AS *NATIONAL EMPLOYER SUPPORT OF THE GUARD AND RESERVE DAY (ARMY UNIT)*.
2. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN PROCLAIMING NOVEMBER 4, 2008 AS *NATIONAL EMPLOYER SUPPORT OF THE GUARD AND RESERVE DAY (NAVAL UNIT)*.
3. PRESENTATION BY MR. MILTON VICKERS, DIRECTOR OF CHARLES DREW FOUNDATION, COMMUNITY BLOOD CENTERS OF SOUTH FLORIDA.

6. **APPROVAL OF MINUTES:**

OCTOBER 21, 2008

7. **CITY MANAGER'S REPORT:**
KELVIN L. BAKER

- A. REQUEST APPROVAL FOR THE RENEWAL OF THE REVOLVING TAXABLE LINE OF CREDIT AND THE AMENDMENT OF THE AMOUNT FROM \$2,500,000 TO \$3,500,000.

8. **CITY ATTORNEY'S REPORT:**
HOWARD B. LENARD

AGENDA ITEMS

9. SCHEDULED CITIZENS APPEARANCE:

TO ALL CITIZENS APPEARING UNDER SCHEDULED APPEARANCES:

THE COUNCIL HAS A RULE WHICH DOES NOT ALLOW DISCUSSION ON ANY MATTER WHICH IS BROUGHT UP UNDER CITIZENS APPEARANCES UNLESS IT IS AN EMERGENCY. WE ARE, HOWEVER, VERY HAPPY TO LISTEN TO YOU. THE REASON FOR THIS IS THAT THE COUNCIL MUST HAVE STAFF INPUT AND PRIOR KNOWLEDGE AS TO FACTS AND FIGURES SO THAT THEY CAN INTELLIGENTLY DISCUSS A MATTER. THE COUNCIL MAY WISH TO ASK QUESTIONS REGARDING THIS MATTER BUT WILL NOT BE REQUIRED TO DO SO. AT THE NEXT OR SUBSEQUENT COUNCIL MEETING YOU MAY, IF YOU SO DESIRE, HAVE ONE OF THE COUNCILPERSONS INTRODUCE YOUR MATTER AS HIS OR HER RECOMMENDATION. WE WISH TO THANK YOU FOR TAKING THE TIME TO BRING THIS MATTER TO OUR ATTENTION.

SPEAKING BEFORE THE CITY COUNCIL:

THERE IS A THREE (3) MINUTE TIME LIMIT FOR SPEAKERS/CITIZENS PARTICIPATION AT ALL PUBLIC HEARINGS AS WELL AS SCHEDULED/UNSCHEDULED CITIZENS APPEARANCE(S). YOUR COOPERATION IS APPRECIATED IN OBSERVING THE THREE (3) MINUTE TIME LIMIT POLICY.

IF YOU HAVE A MATTER YOU WOULD LIKE TO DISCUSS WHICH REQUIRES MORE THAN THREE (3) MINUTES, PLEASE FEEL FREE TO ARRANGE A MEETING OR AN APPOINTMENT WITH THE APPROPRIATE ADMINISTRATIVE OR ELECTED OFFICIAL.

NOTE: IN THE COUNCIL CHAMBERS, CITIZEN PARTICIPANTS ARE ASKED TO COME FORWARD TO THE PODIUM, GIVE YOUR NAME AND ADDRESS, NAME AND ADDRESS OF THE ORGANIZATION YOU ARE REPRESENTING, IF ANY, AND SPEAK ONLY ON THE SUBJECT FOR DISCUSSION.

THANKING YOU VERY MUCH, IN ADVANCE, FOR YOUR COOPERATION.

PLEDGE OF CIVILITY

A RESOLUTION WAS ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH RECOGNIZING THE IMPORTANCE OF CIVILITY, DECENCY AND RESPECTFUL BEHAVIOR IN PROMOTING CITIZEN PARTICIPATION IN A DEMOCRATIC GOVERNMENT. THE CITY OF NORTH MIAMI BEACH CALLS UPON ALL RESIDENTS, EMPLOYEES, AND ELECTED OFFICIALS TO EXERCISE CIVILITY TOWARD EACH OTHER. (RESOLUTION NO. R2007-57, 11/06/07)

A. JULE LITTMAN/ALEX NAVARRO
3545 N.E. 166 STREET, PH 10
NORTH MIAMI BEACH, FL.

RE: WATER RESTRICTION SURCHARGE.

B. CHARLES LOEB
16800 N.E. 15 AVENUE #112
NORTH MIAMI BEACH, FL.

RE: N.E. DADE MAYOR'S TASK FORCE.

AGENDA ITEMS

9. SCHEDULED CITIZENS APPEARANCE - CONTINUED:

C. ALLISON ROBIE
2131 N.E. 179 STREET
NORTH MIAMI BEACH, FL.

RE: NMB ISSUES.

D. MUBARAK KAZAN
131 N.E. 179 STREET
NORTH MIAMI BEACH, FL.

RE: WHERE THERE'S A WILL THERE IS A WAY.

10. MISCELLANEOUS ITEMS:

NONE

11. WAIVER OF FEE:

NONE

12. BUSINESS TAX RECEIPT MATTERS:

CITY CLERK

A. ROCK STAR DANCE & SPORT ACADEMY, CORP.
d/b/a ROCK STAR DANCE & SPORT ACADEMY
2281 N.E. 164 STREET
NORTH MIAMI BEACH, FL.

NATALIA PYRIG, PRESIDENT

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR A PRIVATE SCHOOL (INITIAL APPROVAL).

13A. ADMINISTRATION OF TESTIMONY OATH **(CITY CLERK)**

RECENT FLORIDA SUPREME COURT RULINGS REGARDING MUNICIPAL ZONING MATTERS REQUIRE ALL CITIZENS WHO WILL BE PRESENT BEFORE THE LEGISLATIVE BODY OR CITY COUNCIL TO FOLLOW THE RULE OF TESTIMONY OATH (CITY CLERK TO ADMINISTER OATH).

AGENDA ITEMS

13B. LEGISLATION:

RESOLUTIONS (SERIATIM NO. R2008-52):

RESOLUTION NO. R2008-47

A RESOLUTION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; AUTHORIZING THE ISSUANCE OF THE TAXABLE AD VALOREM REVENUE NOTE, SERIES 2008 OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED A REVOLVING AMOUNT OF \$3,500,000 TO FINANCE GENERAL OPERATING EXPENSES; AUTHORIZING THE REPAYMENT OF THE PRIOR 2007 NOTE; PROVIDING THAT THE NOTE SHALL BE PAYABLE FROM AD VALOREM REVENUES AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. R2008-49

A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN EQUIPMENT; PROVIDING FOR THE FINANCING OF THE SAME PURSUANT TO AN EQUIPMENT LEASE-PURCHASE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND SUNTRUST LEASING CORPORATION DATED OCTOBER 31, 2001; PROVIDING FOR THE PAYMENT OF THE LEASE PAYMENTS; PROVIDING FOR AN ESCROW DEPOSIT AGREEMENT TO FACILITATE FUNDING; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2008-50

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, JOINING OUR SISTER CITY OF NORTH MIAMI IN ENCOURAGING THE ELEVENTH JUDICIAL CIRCUIT COURT OF MIAMI-DADE COUNTY, FLORIDA, TO ESTABLISH A RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PILOT PROGRAM; ENCOURAGING ALL MUNICIPALITIES IN MIAMI-DADE COUNTY TO ADOPT SIMILAR RESOLUTIONS; AND DIRECTING THE CITY CLERK TO TAKE ALL NECESSARY ACTION TO TRANSMIT THIS RESOLUTION TO THE CHIEF JUDGE OF THE ELEVENTH JUDICIAL CIRCUIT COURT; PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RESOLUTION NO. R2008-51

AN OMNIBUS RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ELIMINATING CERTAIN HEALTH CARE BENEFITS FOR ELECTED OFFICIALS AND MANAGEMENT EMPLOYEES OF THE CITY OF NORTH MIAMI BEACH; CONFIRMING VESTED PROPERTY RIGHTS IN EARNED BENEFITS; REAFFIRMING ELIGIBILITY CRITERIA PURSUANT TO CITY OF NORTH MIAMI BEACH RESOLUTION NO'S. R93-30 AND R98-53, AS CLARIFIED BY SECTION (5) FIVE OF ORDINANCE NO. 2000-10; CLARIFICATION OF CURRENT BENEFIT LEVELS FOR ELECTED OFFICIALS.

ORDINANCES - FIRST READING, BY TITLE ONLY (SERIATIM NO. 2008-21):

NONE

AGENDA ITEMS

13B. LEGISLATION - CONTINUED:

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2008-18

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CHAPTER 2, ENTITLED "STRUCTURE OF CITY GOVERNMENT", BY ADDING A SECTION PROVIDING FOR LOBBYIST REGISTRATION; PROVIDING FOR LOBBYIST REPORTING REQUIREMENTS; PROVIDING FOR LATE REGISTRATION AND PENALTIES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

14. UNSCHEDULED CITIZENS APPEARANCES:

15. CITY COUNCIL COMMITTEE REPORTS:

16. RECESS: (IF APPLICABLE - FOR CITY CLERK'S USE)

17. ADJOURNMENT:

18. NEXT CITY COUNCIL MEETING:

TUESDAY, NOVEMBER 18, 2008